

1 BILL NO. R-82-04-18

2 DECLARATORY RESOLUTION NO. R-31-82

3
4 A DECLARATORY RESOLUTION designating
5 an "Urban Development Area" under
6 I.C. 6-1.1-12.1

7 WHEREAS, Petitioner has, duly filed its petition dated
8 March 24, 1982, to have the following described property
9 designated and declared an "Urban Development Area" under
10 Division 6, Article II, Chapter 2 of the 1974 Municipal Code
11 and I.C. 6-1.1-12.1, to-wit:

12 Lots 56, 57, and Block C
13 located at and commonly known as:
14 Congressional Parkway

15 WHEREAS, it appears that said petition should be processed
16 to final determination in accordance with the provision of said
17 Division 6.

18 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
19 THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That, subject to the requirements of Section
21 2 below, the above described property is hereby designated and
22 declared an "Urban Development Area" under I.C. 6-1.1-12.1.

23 SECTION 2. That the foregoing is subject to:

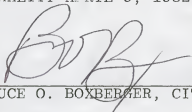
24 (a) An affirmative ("Do Pass") recommen-
25 dation by the Fort Wayne Redevelopment
26 Commission, after due hearing, analysis
27 and study in accordance with the provi-
28 sions of Division 6, Article II, Chapter 2
29 of the Municipal Code of the City of
30 Fort Wayne, Indiana of 1974.

31 (b) Final confirmation hereof by due
32 passage upon the final vote hereon.

1 SECTION 3. That this Resolution shall be effective upon
2 passage and approval by the Mayor.
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4
5 
6 _____
COUNCILMAN

7 APPROVED AS TO FORM AND
8 LEGALITY APRIL 9, 1982

9 
10 _____
11 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read development
Read the first time in full and on motion by Charles W. Westerman,
seconded by Steve, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 4-13-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Charles W. Westerman,
seconded by Steve, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
BRADBURY	<u>X</u>	_____	_____	_____	_____
BURNS	<u>X</u>	_____	_____	_____	_____
EISBART	<u>X</u>	_____	_____	_____	_____
GIAQUINTA	<u>X</u>	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	<u>X</u>	_____
SCHMIDT	<u>X</u>	_____	_____	_____	_____
SCHOMBURG	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 6-8-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 9-31-82
on the 8th day of June, 1982

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 9th day of June, 1982, at the hour of
11:30 o'clock A.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 11th day of June
1982, at the hour of 9 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. R-82-04-18

*Hold until
recount shows
Council
Rep. Comm.*

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE A DECLARATORY RESOLUTION designating an "Urban Development
Area" under I.C. 6-1,1-12.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN A. EISBART - CHAIRMAN

B. A. Eisbart

JANET G. BRADBURY - VICE CHAIRMAN

Janet G. Bradbury

PAUL M. BURNS

Paul M. Burns

JOHN NUCKOLS

ROY J. SCHOMBURG

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Charles W. Westerman

Don Schmidt

Mark GraQuinta

Jim Steir

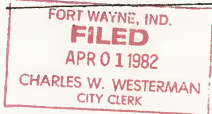
Mark E. GraQuinta
Jim Steir

6-8-82
DATE

APPLICATION FOR CONSIDERATION FOR
DESIGNATION AS AN URBAN DEVELOPMENT AREA

This Application is to be completed and signed by the owner of the property where property redevelopment or rehabilitation is to occur. The Common Council of the City of Fort Wayne reviews this Application for designation as an "Urban Development Area" in discharge of its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977 and amended in 1979. The Common Council makes no representation as to the effect of a designation granted by the Council for purposes of any further applications or approvals required under Public Law 69, and makes no representation to an applicant concerning the validity of any benefit conferred under Public Law 69.

1. Address of Property CONGRESSIONAL PARKWAY
Street Boundaries (if applicable)
CONGRESSIONAL PARKWAY & BANNER
DRIVE
2. Legal Description of Property
LOT 56, 57, AND BLOCK C
(NOT RECORDED)
3. Township WASHINGTON
4. Taxing District WASHINGTON
5. Current Zoning District M2
6. Variance Grant (if any) NONE
7. Owner(s) McCOY BOLT WORKS,
INC., RICHARD M. JENNINGS,
PRESIDENT
8. Address of Owner(s) 1216 W. MAIN STREET
9. Telephone Number (219) 423-9488
10. Agent of Owner (if any)
11. Address
12. Telephone Number
13. Relationship of Agent to Owner
14. Instrument Number of Commitments or Covenants Enforceable by City (if any)
15. Current Use of Property
(a) How is property presently used? VACANT
(b) What structure(s) (if any) are on the property? NONE
(c) What is the condition of this structure/these structures?
16. Current Assessment on Land and Improvements
(a) What is the amount of latest assessment? 2,200.00
(b) What is the amount of total property taxes paid the immediate past year? (indicate amount of land assessment and assessment on improvements) \$146.20



17. Description of Project AN OFFICE AND MANUFACTURING FACILITY OF APPROXIMATELY 44,000 SF. INCLUDED SHALL BE PARKING FACILITIES, LOADING DOCKS AND OTHER APPURTENANCES FOR EFFECTIVE PARTICIPATION IN THE BOLT MANUFACTURING BUSINESS.

18. Development Time Frame

(a) When will physical aspects of development or rehabilitation begin? APRIL 1982

(b) When is completion expected? SEPTEMBER 1982

19. Cost of project (not including land cost) \$760,000.00

20. Permanent Jobs Resulting from Completed Project

(a) How many permanent employees will be employed at or in connection with the project after it is completed? 40

(b) What kind of work will employees be engaged in? MANUFACTURING

(c) How many jobs new to Fort Wayne will be created as a result of project completion? 8

21. Additional municipal services necessitated by project (eg. enlargement of sewer, improvement of streets) NONE REQUIRED BY GOVERNMENTAL AGENCIES: EXTENSION OF WATER, SEWER AND STREETS BEING PERFORMED BY DEVELOPER.

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? CESSATION OF GROWTH

23. Furtherance of City Development Objectives (circle letter and explain)

(a) Will the project improve utilization of vacant under-utilized land? YES, PRESENTLY THE LAND, WHILE FOR INDUSTRIAL USE IS VACANT. UPON COMPLETION OF THIS PROJECT AND EXTENSION OF ROAD AND UTILITIES, ADDITIONAL LAND WILL AVAILABLE FOR IMMEDIATE

(CONTINUED)

(b) Will the project improve or replace a deteriorated or obsolete structure? _____

USE BY INTERESTED PARTIES. THUS, INCREASING FT. WAYNES INDUSTRIAL LAND OFFERING CAPABILITIES.

NO. 28

April 1972

RECEIVED FROM McVey Bros. & Sons, Inc.
100 + 30 DOLLARS

Account Total \$ _____

Amount Paid \$ _____

Balance Due \$ _____

R. E. Kopp

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

(c) Will the project preserve a historically or architecturally significant structure? NO

(d) Will the project contribute to the conservation and/or stability of a neighborhood? _____

(e) Will the project provide a more attractive appearance for the City (eg. restoration of a facade, landscaping, new design)? _____

24. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

_____ Yes X No

25. Financing on Project

What is the status of financing connected with the project?
NEGOTIATIONS ARE UNDERWAY WITH INDIANA BANK & TRUST.

I hereby certify that the information and representations on this Application are true and complete.

Richard H. Krumm
Signature(s) of Owner(s)

3-24-82
Date

NO. 23
April 1 1982
RECEIVED FROM McCoy Bolt Works, Inc.
Fifty & ¹⁰/₁₀₀ DOLLARS

Account Total \$

Amount Paid \$ 50.00

Balance Due \$

U. E. Schopp

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

McCoy Bolt Works Inc.

1216 W. MAIN STREET

FORT WAYNE, INDIANA 46808

19709

March 30 1982

71-34
749

PAY
TO THE
ORDER OF

City Club of Fort Wayne

\$ 50.00
00/100

Fifty &

DOLLARS



INDIANA BANK
AND TRUST CO.
FORT WAYNE, INDIANA 46801

FOR

Kaylene Gallucci

⑈049709⑈ ⑆074900343⑆ 47⑈ 2 555 339⑈

McCOY BOLT

PHONE (219) 423-9488
1216 WEST MAIN STREET
FORT WAYNE, INDIANA 46808

MARCH 25, 1982

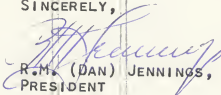
CITY CLERK
1ST FLOOR CITY COUNTY BLDG.
ONE MAIN STREET
FT. WAYNE, IN 46802

ATTN: MR. CHARLES WESTERMAN

ENCLOSED IS AN APPLICATION FOR TAX ABATEMENT ON OUR PRO-
POSED NEW MANUFACTURING FACILITIES.

WE WOULD APPRECIATE YOUR CONSIDERATION ON THIS MATTER.

SINCERELY,


R.M. (DAN) JENNINGS,
PRESIDENT

RMJ:RL



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk -- Room 122

March 29, 1982

McCoy Bolt
1216 West Main Street
Fort Wayne, IN 46808

Dear Sir:

We received your application for tax abatement on your new manufacturing facilities.

A fee of fifty dollars (\$50.00) is required before we can process your abatement. Kindly make the check payable to the City Clerk of Fort Wayne.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne

FORT WAYNE REDEVELOPMENT COMMISSION

EXECUTIVE DIRECTOR - GARY E. WASSON

One Main Street · City-County Building · Fort Wayne, Indiana 46802 · 219/423-7564

May 13, 1982

Mr. Benjamin A. Eisbart
Councilman 4th District
3601 North Washington Road
Fort Wayne, IN 46804

Dear Councilman Eisbart:

At a Regular Meeting of the Fort Wayne Redevelopment Commission on May 10, 1982, consideration was given to the making of a recommendation to the Common Council of the City of Fort Wayne concerning application for designation as an Urban Development Area for purposes of tax abatement by the McCoy Bolt Company. As you are aware, the Fort Wayne Redevelopment Commission pursuant to a delegation by the Common Council conducts an investigation of such application and holds the public hearing. On May 10, 1982, following required legal advertising and notice of public hearing, such hearing was conducted by the Commission, and the Commission was unable to concur on any recommendation of this application as a result of a failure to obtain the concurrence of three Commission members on this application.

Because of the location of the property involved in this application, a great deal of time has been spent on this issue by the Commission members, Commission staff, the Commission's legal counsel, and the applicant. Therefore, I would at this time like to share with you a number of the aspects which have been considered and reviewed with regard to this application.

By way of background, McCoy Bolt is currently located at 1216 West Main Street, and has grown to a point that it must expand in order to remain competitive. The Company is unable to expand in its present location. To meet its needs, McCoy Bolt must double its production area from the current 20,000 square feet. The Company's land requirements call for approximately four (4) acres. According to Mr. Dan Jennings, President of McCoy Bolt, the plant is working at full capacity and he currently has several large machines which are currently being held for him in various locations outside of the City because he has no room in his present plant.

In our discussions with Mr. Jennings, he has stated that the firm has looked at several other sites within the City as well as other existing buildings, but none have met the requirements. Additionally, serious consideration has been given to sites outside of the City.

Mr. Jennings has expressed a strong desire to remain in Fort Wayne and to grow in the community, but it is absolutely necessary that they move from their current location in order to expand. Mr. Jennings also contends that he needs assistance from the City to include tax abatement in order to remain here.

The Redevelopment Commission has spent considerable time reviewing this application in terms of the State law covering tax abatement (I.C. 6-1.1-12.1). The definition of an Urban Development Area according to the State law is as follows:

"An area...which has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property."

This definition which is identical to that contained in the redevelopment law deals exclusively with the property and is not to the project or development which is proposed.

The particular application has many merits worthy of positive consideration, but these merits lie with the proposed development and do not meet the definitional standards or interpretation traditionally given to the statute by the Commission in its past consideration of applications for tax abatement or its interpretation of this language in the context of its function as a Redevelopment Agency. Based upon the foregoing, the Commission was not able to attain a consensus on how this application and recommendation should be handled.

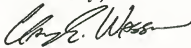
An additional consideration pertaining to this matter is a recent decision by the Court of Appeals of Indiana, Third District, entitled St. Joseph Medical Building Associates vs. City of Fort Wayne. In this case, the Court has ruled

Councilman Eisbart
Page 3
May 13, 1982

that the designation of an "Urban Development Area" is a "matter of purely local legislative discretion". The Court held that the Common Council has broad discretion in such legislative matters, which would suggest that the Council could adopt a policy giving a more liberal construction to the tax abatement eligibility standard.

This is an issue of first impression and one which has significant and far reaching implications for our City. I would be pleased to discuss this matter with you in greater detail, however, this is certainly an issue which I feel will require communication and coordination between the Council and Commission in effectively administering the tax abatement program.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary E. Wasson", with a stylized flourish at the end.

Gary E. Wasson
Executive Director

GEW/jes

5683

TITLE OF ORDINANCE CHANGE ORDER #4, Res. 310-80, Phase 3, C-180599-06, St. Joe Interceptor

DEPARTMENT REQUESTING ORDINANCE Board of Public Works 1-82-05-19

SYNOPSIS OF ORDINANCE During the course of construction it was determined that the existing soil was suitable for backfill under the streets. This allowed WPC Engineering to delete 10,000 CY of backfill material from the contract saving \$70,000. When this deletion was made it became necessary to compensate the contractor for trucking the existing soil around the block and placing it back into the trench. This trucking is reflected in this change order in the amount of \$20,000, thus creating an effective reduction in this contract price by \$50,000.
Contractor is Joe R. Norman Contractors, Inc.

EFFECT OF PASSAGE savings in contract price

EFFECT OF NON-PASSAGE above cannot be accomplished

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) Net Decrease \$9,802.45 this change order.

ASSIGNED TO COMMITTEE _____